WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

Application for Use of State-owned Aquatic Lands

Applicant Name:	Methow Salmon Recovery Foundation
County:	Okanogan County
Water Body:	Methow River
Type of Authorization - Use:	Right of Entry–Improve habitat
Authorization Number:	23-088667
Term:	5 years

Description: This agreement will allow the use of State-owned aquatic lands for the sole purpose of improving habitat availability for juvenile salmonids. It is located in Methow River, in Okanogan County, Washington.

Methow Salmon Recovery Foundation
Authorization No. 23-088667
Authorized Use: Right of Entry
Location: Methow River, Okanogan County

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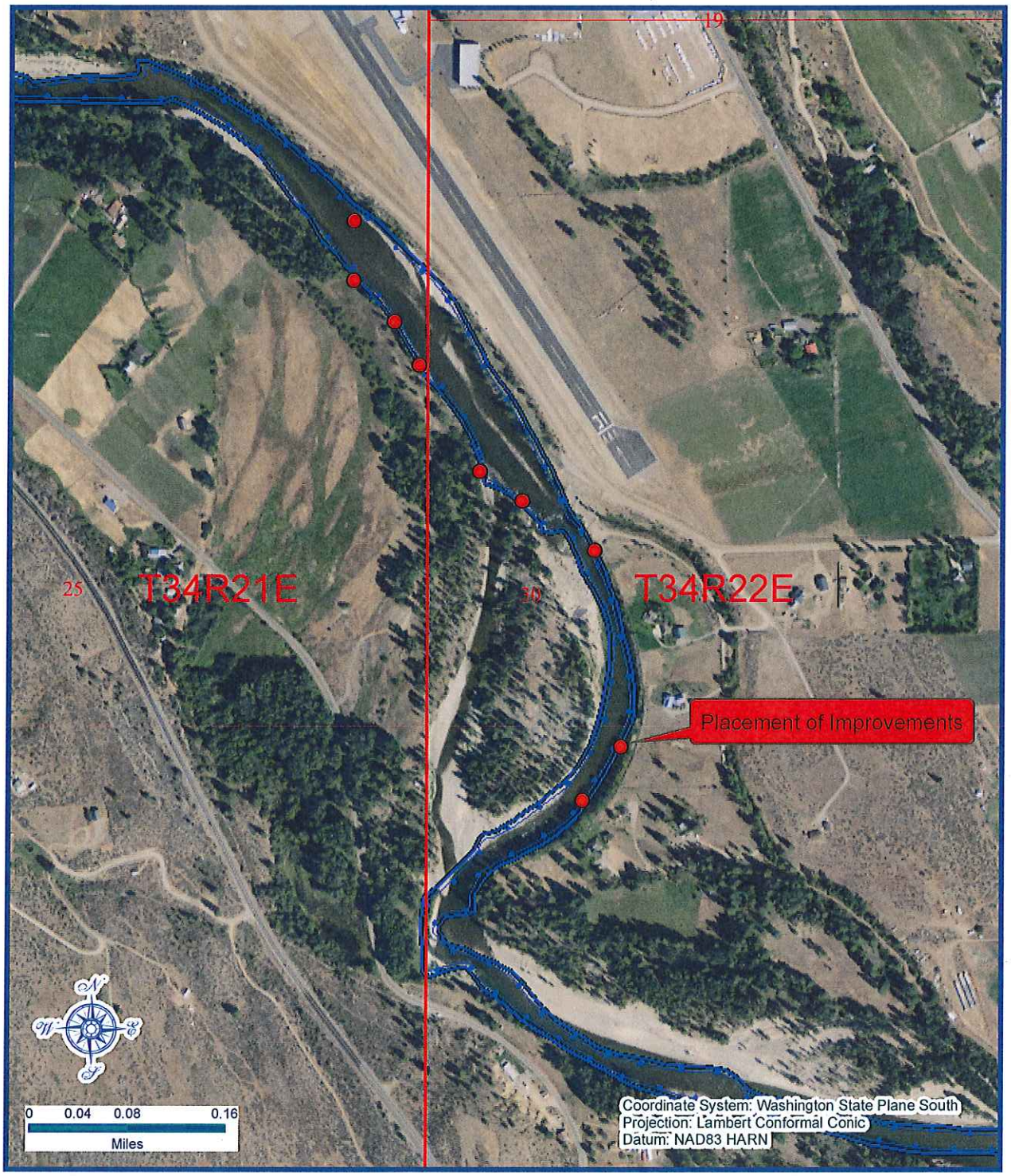

Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material

Legal Description

S25 T34N R21E
S30 T34N R22E
M2 WDFW Floodplain

Prepared By: BJM Date:4/19/2012

M2 WDFW Floodplain

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APPLICATION FOR AUTHORIZATION TO USE STATE-OWNED AQUATIC LANDS

No work can be started on the project area until a use authorization has been granted by the state Department of Natural Resources

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the state Department of Natural Resources upon receipt at the address given below, and also posted on the DNR website as public information. Applicants will be notified in writing if the application will be accepted for further review. However, this application may be rejected at any time before signed execution of a use authorization. **APPLICATION MUST BE FILLED OUT IN BLUE OR BLACK PEN**

Please send the completed application form to your region land manager at:

Washington State Department of Natural Resources
Pacific Cascade Region
Rivers District
P.O. Box 280
601 Bond Rd
Castle Rock, WA 98611-0280
Attention Restoration Program

Enclose a $25.00 non-refundable application processing fee with the application. **(This fee is not required for local, state, and other government agencies).**

II. APPLICANT INFORMATION

Date of Application: March 22, 2012

Authorization to be Issued To (how name is to appear in the lease document): Methow Salmon Recovery Foundation

Applicant's Representative: Chris Johnson

Relationship to Applicant: Executive Director

Address: PO Box 1608	City: Okanogan	State: WA	Zip Code: 98840
Telephone: (509)429-1232	Fax: (509)422-1766	E-Mail: chrisj@methowsalmon.org	

NEW BP NEEDED

FOR OFFICIAL USE ONLY Support staff: Application Fee Received ☑ JARPA Received ☑ Date: 3/26/2012

Land Manager: ☑ New Application; ☐ Renewal Application Land Manager Initials D for A.L.

Land Manager: Type: (20, 21, 22, 23, 31, 51) NaturE Use Code Z 424

Land Records: New Application Number 23-088667 Trust 15/21 County 24 AOR Plate No SS24-061 Note19

EN 4-24 2012

II. APPLICANT INFORMATION cont'

Department of Revenue Tax *Registration Number (Unified Business Identifier) is **Required**: 602134958

Which of the following applies to Applicant (**Check One** and **Attach written authority to sign** - bylaws, power of attorney, etc):

Corporation ☒ State of Registration: WA 501(c)(3) non-profit	Limited Partnership ☐ State of Registration:	General Partnership ☐ State of Registration:
Sole Proprietorship ☐	Marital Community ☐ Spouse:	Government Agency ☐

Other ☐ (Please Explain:)

Has the site use been authorized before or is it currently under lease? **Yes** ☐ Lease Number:
No ☒ **Don't Know** ☐

III. LOCATION

The Body of Water on which the state property is located: Methow River	County in which the state property is located: Okanogan	Government Lot:
	Section: 25 and 30	Township: 34 N
	Range: 21 and 22	**E** ☒ or **W** ☐

Note: A legal property survey including the legal description and other information about the property is **required** to obtain a use authorization. WA DNR survey requirements are attached to this form. The survey plat will be attached to the lease/easement as Exhibit A. **DO NOT HAVE THIS SURVEY CONDUCTED UNTIL YOU HAVE BEEN NOTIFIED IN WRITING THAT THE APPLICATION HAS BEEN ACCEPTED FOR PROCESSING.**

Physical description of Project Area (For example, Marsh, Tideflat adjacent to the Chehalis River, etc.): Methow River and adjacent floodplain from RM 45.6 to RM 46.3

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property:
Washington Department of Fish and Wildlife, Methow Wildlife Area, c/o Tom McCoy (contact information below)
Additional owners: Please refer to JARPA attachment A's for contact information
Washington Department of Aeronotics
Adams, Ann & Kasischke, Martin
Jacobsen, Lois
Hansen, Jill, et al.

Address: 600 N Capitol Way	City: Olympia	State: WA	Zip Code: 98501
Phone Number: (509)996-2559	Fax Number	E-mail: Thomas.McCoy@dfw.wa.gov	

What physical improvements currently exist on the site? (Photos may be required.)

River Left of the Methow River:

The structures on the project site properties include the MVID East diversion intake, headworks, fish screen and fish bypass facilities. A portion of the State-owned Methow Valley Intercity Airport runway is located on the property. Evans Road runs through project area properties between the runway and the diversion facilities. The private parcels in the lower part of the project have private residences and outbuildings, associated wells, septic systems, and electrical systems.

River Right of the Methow River:

The structures on the project site properties include private residences and outbuildings, associated wells, septic systems, and electrical systems, piezometer test wells for data collection, and recreational vehicles used as semi-permanent residential structures. Old Twisp Highway runs through the project area. Other structures include dirt driveways and access roads and culverts.

Main Channel of the Methow River:

Portions of the current and historic MVID East Diversion infrastructure including an abandoned fish passage structure, dam foundation remnants, constructed intake, constructed fish return and sluice pipes.

If there are physical improvements currently on the site, who owns them?

Irrigation infrastructure is owned by the Methow Valley Irrigation District (MVID). The rock in the main channel is remnants of an abandonded structure owned by MVID.

The levee on river right is owned by WDFW.

The riprarp on river left is owned by WSDOT aviation. Additional rock riprap is owned by David Wyman

If there are physical improvements currently on the site, describe their condition:

The diversion intake and associated riprap was built in fall of 2009 and is in good condition.

The levee on river right was constructed in the 70's and is in fair condition. This levee does not appear to be protecting land or physical improvements.

The rock in the mainstem is part of an abandoned irrigation infrastructure, and is no longer functioning as designed.

Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed?

The levee on river right will be removed and replaced with wood structures designed to promote deposition. The material removed from the levee will be used as backfill for placed wood structures.

A portion of the rock across the river and side channel inlet will be removed. This will restore natural channel dynamics through this reach.

Describe any physical improvements that the applicant is proposing to construct on the site:

This project includes constructing 13 engineered log jams (ELJ's) on state owned aquatic lands. This includes six ELJ's along River Right in the area of proposed levee removal, five ELJ's along the left bank in the lower portion of the project area, a mid-channel bar-apex ELJ adjacent to the MVID irrigation diversion structure, and an bar-apex ELJ at the head of the island.

Has any fill material been placed on the site? **Yes** ☒ **No** ☐

If Yes, please describe:

There is a levee along the right bank presumably placed to proect agricultural property that is no longer in use and to maintain flow over the (abandoned) MVID East diversion dam.

The left bank is protected by rip-rap and other armoring.

Remnants of the abandoned irrigation diversion dam cross the main channel and inlet to the side channel.

elevation than the existing culvert. Spring-fed channels and flow paths will be defined to improve habitat for juvenile fish. Lower culvert inverts will result in lower pond elevations during part of the year, but will not result in elevations lower than the lowest current pond levels.

Riparian Vegetation (not in SOAL)

This element of the project will include planting native trees and shrubs to reestablish appropriate riparian plant communities in all disturbed areas. A specific goal is to develop a riparian buffer at least 200 feet wide along the main channel and 75 feet-wide along seasonal flow paths and wetlands. Historic land uses have reduced or eliminated sub-canopy and shrub layers in the cottonwood stands on the east part of the floodplain (river right). Plantings and temporary exclosures will help re-establish this missing stand structure. The field owned by WDFW supports several seasonal wetlands that currently have disturbed grass and sedge communities. Shrubby and herbaceous species will be planted to increase site diversity and improve wetland function. The riparian restoration of the project will continue for a period of at least three years to ensure adequate plant survival.

Is or will the Property be subleased to another party? **Yes** ☐ **No** ☒
If yes, submit a copy of the sublease agreement.

What are the current and past uses of the site?

The Methow River in the project area is used by the public for recreational boating and fishing.
The Project Area contains a mixture of private and public properties along the right and left banks of the main channel, channel bed and channel defined island properties. The properties can best be grouped as either public or private.
PUBLIC:
The primary work area on the right bank is owned by Washington Department of Fish and Wildlife. The property includes several retired agricultural parcels owned by the Washington Department of Fish and Wildlife that are currently managed for wildlife habitat and recreation access. This group of properties also includes a channel defined island parcel. Public property on river left supports the irrigation diversion for the Methow Valley Irrigation District. Adjacent upland uses include airport related infrastructure owned by Washington State Department of Transportation, Aviation Division, and public access (Okanogan County Road). The main channel of the Methow River in the project area is used by the public for recreational boating and fishing.
PRIVATE:
The project area extends both upstream and downstream from the primary work area onto a number of private properties. These properties are currently used for rural residential, agriculture, recreation and open space purposes.

Do you have any knowledge of contamination of the site by toxic or hazardous substances, or of past uses or practices that might have lead to contamination by such substances? **Yes** ☐ **No** ☒
If so, please explain:

Do you know if any fill material has been placed on the property in question? **Yes** ☒ **No** ☐
If yes, please explain:
There is a levee along the right bank presumably placed to proect agricultural property that is no longer in use and to maintain flow over the (abandoned) MVID East diversion dam.
The left bank is protected by rip-rap and other armoring.
Remnants of the abandoned irrigation diversion dam cross the main channel and inlet to the side channel.

V. IMPROVEMENTS

Physical improvements are structures placed on the land that cannot be removed without damage to the land. Examples of such structures include: pilings, dolphins, piers, wharves, piling-supported buildings, structures built on fill or concrete foundations, buried pipelines and cables, and support structures for bridges.

within both the main channel and floodplain over a wider range of flow conditions. To preserve existing functional riparian habitat, an isolated levee section that currently supports established mature cottonwoods will not be removed. It is anticipated that this section of the levee will degrade over time, allowing the mature trees to be captured by the river. This will promote recovery of natural channel and floodplain processes while minimizing impacts to mature vegetation. Approximately 1100 feet of levee will be removed.

Mid-channel ELJ

This element includes construction of a bar apex ELJ near the intake for the MVID East Diversion. This structure will be located at the head of an existing bar that maintains flow past the diversion intake. The logjam will increase channel complexity in the mainstem, providing cover and refuge habitat during all flows. This structure is expected to scour out a pool with complex cover in the mainstem during all flows. The associated scour will help maintain flow past the diversion, reducing or eliminating the need for the irrigation district to enter the river to maintain water diversions.

Remove large rock

This includes removal of placed large rock at the center portion of the historic dam alignment across the mainstem and the line of placed large rock across the inlet of the side channel. These remnant features are acting as an artificial grade control for both the side channel and mainstem. When the irrigation district abandoned the diversion dam in 2007-2008, some of the large rock was left in place with the expectation that the river would mobilize the material and complete the work. Subsequent monitoring has shown that this material is not moving, and is continuing to influence channel form. Placed rock will be removed from the riverbed in an area about 235 feet long by 20 feet wide.

Bank ELJ's main channel left bank

This includes construction of five engineered logjams (ELJs) along the left bank of the mainstem in the area downstream of the MVID fish screen. The three larger structures are designed to create pools and provide cover and habitat complexity in the mainstem. This habitat will be connected for the full range of flows. These structures, and the two smaller structures are will provide refuge habitat during high flows.

ELJ's at leading edge of side channel

This element includes construction of two logjams at the head of the side channel. One structure will be constructed at the head of the island coincident with an existing log structure. The second structure will be on the right bank of the side channel. These logjams will be buried to scour depth and constructed so they are persistent through high flow events. These structures will control flows into the side channel, allowing increased side channel flows during low flows while reducing flows during high flow periods (30% Design Report appendix A page A-14 though A-16). The existing logjam at the head of the island provides good habitat; it does not, however, address the risk of avulsion into the side channel. Removal of the remnant large rocks across the side channel inlet would increase flows through the side channel during all flow levels, potentially increasing the risk of an avulsion. Placement of the right bank ELJ is proposed to limit this potential. Maintaining a split flow between the main and side channel is desirable in this location to prevent loss of one of the few existing perennial side channels in the reach and to prevent stranding the MVID East diversion fish return (located on the main channel). Off channel habitat is favored by juvenile salmonids and is thought to be a limiting factor in the reach.

ELJ's in the side channel (not in SOAL)

This element includes placement of twelve ELJ's built into the banks, three multiple log placements on a gravel bar, and three bar apex ELJ's in the center of the side channel. Together, these structures will promote a narrower and deeper channel with increased cover and improved habitat through the full range of flows. The bar apex ELJs in lower portion of the side channel will promote a more dynamic system. This increased complexity is expected to support higher numbers of rearing juvenile spring Chinook and steelhead in the side channel.

Wetland and alcove culverts (not in SOAL)

This element involves reconnection of flows between the wetland pond (Plummer Pond) and the main channel. This requires replacement of an existing undersized perched culvert at the south end of the pond and installation of one new culvert at the north end. This action involves installing two bottomless arch culverts under the Old Twisp Highway and excavating to define a channel. The new north culvert is designed to convey flood flows under the county road. This will improve habitat connectivity and improve access for fish and other aquatic and terrestrial organisms to the wetland and alcove habitat west of the county road. The new south culvert will be set at a lower

Note: Except for property located within established Harbor Areas, proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property may be required. If the applicant is the owner of the adjacent land, attach a copy of the deed.

County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties:

Landowner A: 3421250012, 3422300006, 3422300023, 3421250024,
Landowner F: 3422300016,
Landowner G: 3422300046
Landowner H: 3422300058
Landowner I: 3422300041

IV. USE OF PROPERTY

Many of these project features are located in a side channel that formed during the 1948 flood event, and are not in State Owned Aquatic Lands (SOAL).

The M2 – WDFW Floodplain Habitat Improvement Project (Project) is an element of a larger multi-agency effort to implement habitat restoration projects in support of the federally adopted Upper Columbia Salmon Recovery Plan (Recovery Plan). Methow Salmon Recovery Foundation (MSRF) has been retained to serve as the Project Sponsor for implementation of this Project. MSRF does not have an ownership or design responsibility for the Project.

The Project site has been identified by MSRF and the Bureau of Reclamation as one of a number of coordinated actions within the Middle Methow River reach, or M2, defined as the area between the towns of Twisp and Winthrop. The M2 area was identified through a scientific reach assessment process as an area where large-scale fish habitat and riparian restoration projects could be implemented in a phased program.

This project seeks to restore natural processes to the greatest degree feasible while adding sustainable features that immediately improve habitat based on reach-level goals. The project is primarily targeted at improving habitat availability for rearing juvenile salmonids during low water. The project also includes features intended to provide benefits for both juvenile and adult fish during all flows.

The M2 WDFW Floodplain project includes the following specific actions to improve habitat in and along the Methow River:

- Remove the existing rock-faced levee;
- Construct 8 engineered logjams (ELJs) along the main channel banks;
- Construct 12 engineered logjams (ELJs) along the side channel banks;
- Construct 2 ELJs at the head of the side channel on river right;
- Construct 1 bar apex ELJ in the mainstem and 3 bar apex ELJs in the side channel;
- Remove previously placed large rocks associated with the historic irrigation diversion and bank hardening efforts;
- Construct two bottomless oversized culverts to re-connect the pond area to high water flow in the main channel; and
- Re-establish riparian vegetation.

These actions are intended to benefit juvenile salmonids by restoring floodplain function, increasing channel complexity, creating refuge habitat, and improving access to off-channel habitat.

The Project includes the following elements:

Levee removal and wood placement right bank

This element includes removing the majority of rock and fill associated with the existing 1100 foot-long levee and constructing three engineered logjams on the right bank of the mainstem river. Removal of the levee is intended to restore river access to the largely disconnected floodplain area. The wood structures are designed to promote sediment deposition and bar formation to narrow the artificially over-widened channel. By removing the levee and promoting bar development through wood placement, this action is also intended to improve habitat function

VI. LOCAL, STATE, AND FEDERAL REGULATORY PERMITS Copies of all Government Regulatory Permits, or Permit Waivers Are Required Before Issuance of a DNR Use Authorization. Your project may require all or some of the following.

Please include the following permit applications, permits, or waivers with the application:

JARPA (Joint Aquatic Resource Permit Application) - This one form is used to apply for all of the following individual permits:

1. Section 10 Permit (Required by the US Army Corps of Engineers for any work in or affecting navigable waters, e.g., floats, docks, piers, dredging, pilings, bridges, overhead power lines.)
2. Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption (Issued by Local Government, and is required for work or activity in the 100 year flood plain, or within 200 feet of the Ordinary High Water mark of certain waters; and which included any one of the following: dumping, drilling, dredging, filling, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)
3. Hydraulic Project Approval (Required by the Department of Fish and Wildlife if the project includes work that will use, divert, obstruct, or change the natural flow or bed of any fresh or salt water of the state.)
4. Section 404 Permit (Required by the US Army Corps of Engineers if your project will discharge or excavate any dredged or fill material waterward of the Ordinary High Water mark or the Mean Higher High Tide Line in tidal areas.)
5. Section 401 Water Quality Certification (Required by the Department of Ecology if a Section 404 permit is required.)

NPDES (National Pollutant Discharge Elimination System Permit - Required by the Department of Ecology under delegated authority from the Federal Environmental Protection Agency for projects that include the discharge of fluid on or into surface water.

SEPA (State Environmental Policy Act) Checklist and Environmental Assessments - When you submit a permit application to any agency, if the project is not exempt, the lead agency will ask you to fill out an environmental checklist. Based on checklist answers and the reviewers knowledge of the project site, agency personnel will determine the types of impacts the project may have on the environment. The agency assessments may be the following forms: Determination of Non-significance, Determination of Significance, scoping documents, draft or final Environmental Impact Statements (EIS) or others prepared for the purpose of compliance.

Describe any habitat mitigation required by any of the permitting agencies identified above and identify where such mitigation is proposed to occur:

All answers and statements are true and correct to the best of my knowledge.

Applicant Name (please print): Chris Johnson	Title: Executive Director
Applicant or Authorized Signature:	Date: 03/22/2012